

AUG 18 2011

David J. Bradley, Clerk of Court

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS

In Re:

§  
§  
§  
§Case No. 05-37623-H1-7

Debtor(s).

Application for Payment of Unclaimed Funds  
and Certificate of Service

1. I am making application to receive \$29,643.19, which was deposited as unclaimed funds on behalf of DIRECTIONAL ROAD BORING INC  
(name of original creditor/debtor).

2. Applicant is entitled to receive the requested funds, has made sufficient inquiry and has no knowledge that any other party may be entitled to, and is not aware of any dispute regarding the funds at issued based upon the following (check the statement(s) that apply):

- ☐ a. Applicant is the creditor/debtor named in paragraph 1, and the owner of the funds appearing on the records of this Court, as evidenced by the attached documents.
- ☐ b. Applicant is the attorney in fact for the creditor/debtor named in paragraph 1, with authority to receive such funds, or who is authorized by the attached original Power of Attorney to file this application on behalf of the creditor/debtor.
- ☐ c. Applicant is the assignee or successor-in-interest of the creditor/debtor named in paragraph 1, or the representative of the assignee or successor-in-interest, as evidenced by the attached documents establishing chain of ownership and/or assignment.
- ☒ d. Applicant is a duly authorized corporate officer (if a corporation) or a general partner (if a partnership) and a representative of the creditor/debtor named in paragraph 1.
- ☐ e. Applicant is the representative of the estate of the deceased creditor/debtor named in paragraph 1, as evidenced by the attached certified copies of death certificate and other appropriate probate documents substantiating applicant's right to act on behalf of the decedent's estate.
- ☐ f. None of the above apply. As evidenced by the attached documents, applicant is entitled to these unclaimed funds because:

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3. I understand that pursuant to 18 U.S.C. § 152, I could be fined no more than \$5,000, or imprisoned not more than five years, or both, if I have knowingly and fraudulently made any false statements in this document or accompanying supporting documents. I further understand that any indications of fraud detected by the Court will be turned over to the U.S. Attorney for possible prosecution.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing statements and information are true and correct.

Dated: 8-15-11

Applicant's Signature

Applicant's Name

Address

Phone:

[Signature]  
DAVID J. O'LEARY, President  
P.O. Box 7914  
METairie LA 70010  
(504) 780-7883

Subscribed and sworn before me this 15 day of August, 2011.

[Signature]  
Notary Public

State of LOUISIANA

My commission expires At Death

Attachments: 1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

IGNACIO C. VILLANUEVA  
NOTARY PUBLIC  
PARISH OF JEFFERSON  
STATE OF LOUISIANA  
MY COMMISSION EXPIRES UPON MY DEATH  
#12915

### Certificate of Service

I certify that on 8-15-11 (date), a true and correct copy of this application for payment of unclaimed funds was served by first class United States Mail on the following:

U.S. Attorney  
P.O. Box 61129  
Houston, TX 77208

Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

U.S. Trustee  
515 Rusk Ave., Ste. 3516  
Houston, TX 77002

[Signature]  
Signature